

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-12205
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT December 16, 2008 THOMAS K. KAHN CLERK
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D. C. Docket No. 05-00175-CV-WLS-1

WILLIE FARMER, JR.,

Plaintiff-Appellant,

versus

AIG LIFE INSURANCE COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Georgia

(December 16, 2008)

Before BIRCH, DUBINA and BLACK, Circuit Judges.

PER CURIAM:

Willie Farmer, Jr. appeals the district court's grant of summary judgment to AIG Life Insurance Co. in his Employee Retirement Income Security Act of 1974 (ERISA) action seeking long-term disability benefits. 29 U.S.C. §§ 1001 *et seq.* Farmer asserts (1) he was denied a full and fair review of the administrative decision denying his claim; (2) the district court was precluded from affirming the denial of benefits on the basis of the "365 day" rule; (3) this court, under de novo review, should resolve his contention that he is "totally and permanently disabled" as defined by the policy at issue; and (4) the district court erred in concluding his claim for disability benefits was precluded by the "365 day" rule.

After review of the record, and the parties' briefs, we conclude Farmer's contentions on appeal are without merit. We find no error in the district court's grant of summary judgment to AIG. The judgment is, accordingly,

AFFIRMED.